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| APPLICATION NO.   | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|---|-------------|----------------------|---------------------|------------------|
| 10/697,081  | 10/31/2003  | Kazuo Okada          | SHO-0042            | 9728             |
| 23353 7590 06/10/2010<br>RADER FISHMAN & GRAUER PLLC<br>LION BUILDING<br>1233 20TH STREET N.W., SUITE 501<br>WASHINGTON, DC 20036 |             |                      |                     |                  |
| EXAMINER  |             |                      |                     |                  |
| THOMAS, ERIC M  |             |                      |                     |                  |
| ART UNIT  |             | PAPER NUMBER         |                     |                  |
| 3714  |             |                      |                     |                  |
| MAIL DATE   |             | DELIVERY MODE        |                     |                  |
| 06/10/2010  |             | PAPER                |                     |                  |

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

# Office Action Summary

**Application No.**

10/697,081

**Applicant(s)**

OKADA, KAZUO

**Examiner**

Eric M. Thomas

**Art Unit**

3714

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 23 March 2010.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 6-13 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 6-13 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/CD)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

## **DETAILED ACTION**

### ***Response to Amendment***

This is in response to the amendments filed on 3/23/10; claims 12 and 13 have been added. Claims 6 – 13 are now pending in the current application.

### ***Claim Rejections - 35 USC § 103***

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

**2. Claims 6 - 11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ozaki et al. (U.S. 2001/0031658) in view of Jeong (U.S. 2003/0016313).**

Regarding claims 6, 8, and 9, Ozaki provides a gaming machine that includes a variable display device, wherein the display device discloses a front display device in front of the variable display device, (par. 0010), wherein the front display device may include an electrical display device that allows the variable display device to be observed, (par. 0007), a rear holder that has a front and rear face that defines a thickness that holds the electrical display device from a rear side in a facially – opposing manner, (fig. 2, part 27), wherein the rear holder having one or more windows allowing the designs of the variable display to be observed, (fig. 2, parts 27a, 27b, and 27c), which are viewed as rectangular openings that are smaller than the reel display window unit, wherein the reel display window unit displays the symbol combination through the holder. The flat panel member as disclosed in the present invention is a machine front

panel that extends across the display of the gaming machine. Ozaki further discloses a middle section, in which a front panel, (part 26 of fig. 1 and fig. 2), is fitted, wherein the front panel, the transparent EL panels, and the rear holder, (part 27 of fig. 2), are stacked to form an integrated three-layer structure (par. 0042). The examiner views the front panel as a flat panel member that is defined by an outer peripheral edge having a front face and an opposite rear face that defines a thickness there between, wherein the panel member having one or more windows, (parts 27a, 27b, and 27c), disposed internally of the outer peripheral edge and extending to and between the front and rear faces, wherein each window having a recessed portion that extends from the front face and partially into the panel member, but Ozaki is silent on the issue of the peripheral corner portions of the rear holder being removed. In a related art, however, Jeong provides a display device that teaches the removal of end portions of a guide plate or window of a display device, wherein the removal of the end portions, forms a second recessed portion which is a stepped down-portion that is larger than the first recessed portion (abstract and par. 0076). Therefore, one would be motivated to combine the teachings of Jeong into the art disclosed by Ozaki in order to make the thickness of the rear holder thinner in order to make a stepped down portion that extends from the rear side and partially into the rear holder in order to prevent the peripheral corner portions from being viewed by the player of the gaming machine.

Regarding claim 7, Ozaki provides a gaming machine that includes a variable display device, wherein the display device discloses a front display device in front of the variable display device, (par. 0010), wherein Ozaki further discloses a semi-transparent

reflective plate that is disposed between the LCD device and the back display device, wherein a light source is preferably disposed upward of the reflective plate, wherein the light emitted from the light source is reflected by the back side and passes through the reflective plate, while the light emitted from the light source is reflected by the reflective plate, (par. 0138), which is viewed by the examiner as a light guiding plate for guiding light emitted from a light source to the electrical display panel.

Regarding claim 11, Ozaki provides a gaming machine wherein the variable display device comprises one or more rotatable reels with each having a reel band which designs are drawn that is disposed internally of the gaming machine (par. 0046).

Regarding claims 12 and 13, Ozaki provides a gaming machine that includes a variable display device, wherein the display device discloses a front display device in front of the variable display device, (par. 0010), but Ozaki is silent on the issue of the peripheral corner portions of the rear holder being removed. As stated above, however, Jeong teaches the removal of corner portions, wherein the Examiner views this teaching in combination with the rear holder of Ozaki, wherein as shown in fig. 2, the rear holder, (part 27), is on the rear side, wherein once a corner portion of the rear holder is removed, as done and taught by the Jeong reference, the corner portion will serve as an outer periphery of the opening of the rear holder, which is in a rear side in a thickness direction.

**3. Claim 10 is rejected under 35 U.S.C. 103(a) as being unpatentable over Ozaki et al. (U.S. 2001/0031658) in view of Jeong (U.S. 2003/0016313) as applied to claim 8 above, and further in view of Sato (U.S. 6,734,927).**

Regarding claim 10, Ozaki provides a gaming machine that includes a variable display device, wherein the display device discloses a front display device in front of the variable display device, (par. 0010), and Jeong teaches the removal of corner, but both cited are silent on the issue of including an antistatic sheet. In a related art, however, Sato provides a liquid crystal display that is held between an upper frame and a lower frame, (abstract), wherein Sato teaches that the frame can be coated with an antistatic agent, (col. 4, lines 3 – 4). The examiner views this teaching with the Ozaki and Jeong references as the gaming machine including an antistatic sheet that may be provided in the rear side of the rear holder where the corner portion was removed. Therefore, it would have been obvious to one of ordinary skill in the art the time of invention to combine the teachings of Jeong and Sato into the art disclosed by Ozaki in order to prevent static charge with an antistatic agent, which will improve the yield of the liquid crystal display.

#### ***Response to Arguments***

4. Applicant's arguments filed on 3/23/10 have been fully considered but they are not persuasive. Regarding claim 6, Applicants argue that "Ozaki and Jeong, either alone or in any permissible combination, fail to disclose or suggest a peripheral corner portion in a rear side in a thickness direction of the opening, the peripheral corner portion serving as an outer periphery of the opening of the holder, is removed so as not be

viewed in a case where the symbol combination on the variable display device is viewed through the opening of the holder." The Examiner acknowledged in the previous office action that the primary reference of Ozaki is silent on this issue, wherein the secondary reference is relied upon to meet at least this claim limitation, but the Applicants further argue that "Jeong fails to remedy the deficiencies of Ozaki." More specifically it is argued that since "the Office Action has failed to consider the phrases in a rear side in a thickness direction and the peripheral corner portion serving as an outer periphery of the opening of the holder", "thus while Jeong discloses removal of the corner portions", Jeong fails to disclose or suggest the limitations argued above. The Examiner respectfully disagrees. As disclosed in the present invention, the limitation of the removal of the corner portions is done in order for the peripheral corner portions to be prevented from being viewed by the player, wherein, as a result of this, the thickness of the rear holder is thinner, wherein the thickness of the reel display is entirely prevented from being recognized. In the previous office action, the Examiner noted that one would be motivated to combine the cited art references in order to make the thickness of the rear holder thinner in order to make a stepped down portion that extends from the rear side and partially into the rear holder in order to prevent the peripheral corner portions from being viewed by the player of the gaming machine. Furthermore, this rejection is based on the combination of the cited references. For example, as disclosed in the previous office action, the reference of Ozaki discloses a rear holder, (part 27 of fig. 2), wherein as shown in fig. 2, the rear holder as compared to the rear holder of the present invention, (part 39h of fig. 3), are in the exact same position, wherein the only difference

between the two is the present invention removes a corner portion of the rear holder, while the Ozaki reference does not. The Examiner then relies on the Jeong reference as teaching the removal of corner portions, wherein the Examiner views this teaching in combination with the rear holder of Ozaki, wherein as shown in fig. 2, the rear holder, (part 27), is on the rear side, wherein once a corner portion of the rear holder is removed, as done and taught by the Jeong reference, the corner portion will serve as an outer periphery of the opening of the rear holder, which is in a rear side in a thickness direction. Therefore, the Examiner maintains that Ozaki in view of Jeong renders at this claim limitation obvious.

5. In response to the arguments of claim 10, the limitations of claim 10 are now overcome by the Sato as disclosed above.

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Eric M. Thomas whose telephone number is (571) 272-1699. The examiner can normally be reached on 7a.m. - 3p.m..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Hotaling can be reached on (571) 272-4437. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.



Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/John M Hotaling II/  
Primary Examiner, Art Unit 3714